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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/056,492	01/17/2002	Gerrit Cornelis Langelar	PHNL 010062	5632

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PHILIPS INTELLECTUAL PROPERTY & STANDARDS  
P.O. BOX 3001  
BRIARCLIFF MANOR, NY 10510

EXAMINER
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DOAN, TRANG T

ART UNIT	PAPER NUMBER
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2131

DATE MAILED: 10/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/056,492

**Applicant(s)**

LANGELAAR, GERRIT CORNELIS

**Examiner**

Trang Doan

**Art Unit**

2131

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01/17/2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 01/17/2002.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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1. Claims 1-8 have been examined.

***Priority***

2. The application is filed on 01/17/2002 but claims the benefit of foreign priority has been made and acknowledged.
3. Therefore, the effective filing date for the subject matter defined in the pending claims in this application is 12/05/2001 on the benefit of foreign priority date.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Girod et al. U.S. Patent 5809139 (hereinafter Girod).

**Regarding to claim 1**, Girod teaches modifying signal samples in accordance with a watermark pattern, characterized in that said modifying step is applied to signal samples if the modified signal sample assumes the first value due to said modification (Girod: column 5 lines 22-47).

**Regarding to claim 2**, Girod teaches wherein the first value is zero and the signal samples qualified for modification are signal samples having the smallest non-zero value (Girod: column 6 lines 27-68).

**Regarding to claim 3**, Girod teaches wherein the signal samples have been quantized with a quantizer step size, and the signal samples qualified for modification are signal samples being quantized with a step size, which is less than a predetermined threshold (Girod: column 2 lines 33-52).

**Regarding to claim 4**, Girod teaches wherein the information signal is divided into sections and the number of signal samples qualified for modification is limited to a predetermined maximum per section (Girod: column 5 lines 39-47 and column 6 lines 27-68).

**Regarding to claim 5**, Girod teaches wherein the signal samples of a section have been quantized in accordance with a quantizer step scale, the method including the step of controlling said maximum of modified signal samples in dependence upon said quantizer step scale (Girod: column 4 lines 11-20).

**Regarding to Claim 6**, Girod teaches wherein the information signal is divided into sections and the signal samples of a section have been quantized in accordance with a quantizer step scale, the method including the step of controlling the positions of the signal samples qualified for modification within a section in dependence upon said quantizer step scale (Girod: column 6 lines 46-68).

**Regarding to claim 7**, Girod teaches decoding the variable-length code words into respective first and further signal samples prior to said modifying step (Girod: column 9 lines 1-47 and column 10 lines 25-57); merging the modified signal sample with succeeding or preceding first signal samples to obtain a new run of first signal samples (Girod: column 7 lines 36-68 and column 8 lines 1-26), and encoding the new

Art Unit: 2131

run of first signal samples and a subsequent or preceding further signal sample into a new variable-length code word (Girod: column 7 lines 1-35 and column 10 lines 25-57).

**Regarding to claim 8**, Girod teaches means for modifying signal samples in accordance with a watermark pattern, characterized in that the modifying means are arranged to modify signal samples if the modified signal sample assumes the first value due to said modification (Girod: column 5 lines 22-47).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Trang Doan whose telephone number is (571) 272-0740. The examiner can normally be reached on Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ayaz Sheikh can be reached on (571) 272-3795. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/056,492

Page 5

Art Unit: 2131


Trang Doan

Examiner

Art Unit 2131

T.D.

September 27, 2005

A handwritten signature in black ink, appearing to read 'Trang Doan', with the date '9/28/05' written below it.